

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RYAN DORGAN

Plaintiff,

Docket No. 1:20-cv-04253-JLR

- against -

FIRST KLASS BREAKFAST, LLC

Defendant.

[PROPOSED] DEFAULT JUDGMENT

WHEREAS, this matter came before the Court on plaintiff Ryan Dorgan (“Plaintiff”)’s motion for entry of a default judgment against defendant First (“Defendant”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2.

WHEREAS, Plaintiff filed his application for entry of default judgment seeking \$5,000.00 in statutory damages for copyright infringement, \$680.00 in attorneys’ fees, and \$440.00 in costs plus interest.

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment. The Court scheduled a hearing for Plaintiff’s application on January 18, 2023, at 12:00 pm and Defendant failed to appear.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff’s Application for Entry of Default Judgment is GRANTED pursuant to Fed.R.Civ.P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff's exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff's registered work; it is

FURTHER ORDERED that Defendant shall pay \$5,000.00 in statutory damages under 17 U.S.C. § 504(c); it is

FURTHER ORDERED that Defendant's request for attorneys' fees is denied;

FURTHER ORDERED, that Defendant shall post-judgment interest under 28 U.S.C.A. § 1961; it is

FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that this case is dismissed and the Clerk of the Court shall remove it from the docket of the Court.

This is a final appealable order. *See* FED. R. APP. P. 4(a).

Dated: January 18, 2023

SO ORDERED.



Jennifer L. Rochon (U.S.D.J.)

A handwritten signature in blue ink, appearing to read "Jennifer Rochon", is written over a horizontal line. Below the signature, the name "Jennifer L. Rochon" is printed in a smaller, standard font, followed by "(U.S.D.J.)".